

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION

**FILED**

**APR 24 2017**

Clerk, U.S. Courts  
District Of Montana  
Missoula Division

PATRICIA MANNING,

Plaintiff,

vs.

NANCY A. BERRYHILL, Acting  
Commissioner of Social Security  
Administration

Defendant.

CV 15-164-M-DLC-JCL

ORDER

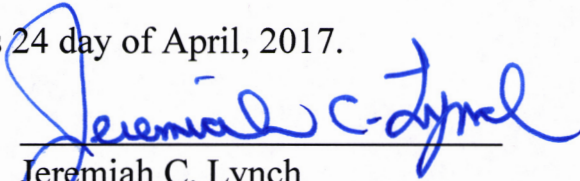
Based on the stipulation of the parties, it is ORDERED that the case be REVERSED and REMANDED for further administrative proceedings including a *de novo* hearing pursuant to sentence four of 42 U.S.C. § 405(g). On remand, an administrative law judge (ALJ) shall offer Plaintiff an opportunity for a new hearing, further develop the record, and issue a new decision. The ALJ shall also:

- The ALJ shall reevaluate the severity of Plaintiff's respiratory impairment and the pertinent listings.
- The ALJ should reassess Plaintiff's symptoms and testimony under SSR 16-3p.
- The ALJ should consider all medical source opinions, specifically considering the opinions of Kurt Thorderson, M.D., Sushrut Patel, M.D.

- The ALJ should provide specific reasoning for the weight given to opinion evidence, discussing the evidentiary basis for conclusions.
- The ALJ shall consider the opinion of vocational counselor Shana Hammer.
- Include all unrejected work related limitations in the RFC finding.
- Further consider Plaintiff's residual functional capacity assessment with the assistance of testimony from a vocational expert, if warranted.

The parties agree that reasonable attorney fees will be awarded under the Equal Access to Justice Act, 28 U.S.C. § 2412, upon proper request to the Court.

DONE and DATED this 24 day of April, 2017.



Jeremiah C. Lynch  
United States Magistrate Judge